

HOUSE BILL 2198
By Givens

AN ACT to amend Tennessee Code Annotated, Title 68, relative to cloning.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 1, is amended by adding the following as a new section to be appropriately designated:

Section _____. (a) No person shall clone a human being.

(b) No person shall purchase or sell an ovum, zygote, embryo, or fetus for the purpose of cloning a human being.

(c) For the purposes of this section, "clone" means the practice of creating or attempting to create a human being by transferring the nucleus from a human cell from whatever source into a human egg cell from which the nucleus has been removed for the purpose of, or to implant, the resulting product to initiate a pregnancy that could result in the birth of a human being.

(d) The commissioner of health may after appropriate notice and opportunity for hearing; by order levy administrative penalties as follows:

(1) If the violator is a corporation, firm, clinic, hospital, laboratory, or research facility, by a civil penalty of not more than one million dollars (\$1,000,000), or the applicable amount under subdivision (3), whichever is greater.

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- (2) If the violator is an individual, by a civil penalty of not more than two hundred fifty thousand dollars (\$250,000) or the applicable amount under subdivision (3), whichever is greater.
- (3) If any violator derives pecuniary gain from a violation of this section, the violator may be assessed a civil penalty of not more than an amount equal to the amount of the gross gain multiplied by two (2).
- (4) The administrative penalties provided in this section shall be paid to the general fund.

SECTION 2 . This act shall take effect upon becoming a law, the public welfare requiring it.